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Attorneys for Plaintiff
Ashley Renee Pinon

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ASHLEY RENEE PINON,)	Case No.: 3:22-cv-00139-CSD
)	
Plaintiff,)	STIPULATION AND ORDER FOR
)	THE AWARD AND PAYMENT OF
vs.)	ATTORNEY FEES AND
)	EXPENSES PURSUANT TO THE
KILOLO KIJAKAZI,)	EQUAL ACCESS TO JUSTICE
Acting Commissioner of Social)	ACT, 28 U.S.C. § 2412(d) AND
Security,)	COSTS PURSUANT TO 28 U.S.C. §
)	1920
Defendant.)	

TO THE HONORABLE CRAIG STEPHEN DENNEY, MAGISTRATE
JUDGE OF THE DISTRICT COURT:

IT IS HEREBY STIPULATED, by and between the parties through their
undersigned counsel, subject to the approval of the Court, that Ashley Renee Pinon
be awarded attorney fees in the amount of FOUR THOUSAND EIGHT

1 HUNDRED dollars (\$4,800.00) under the Equal Access to Justice Act (EAJA), 28
2 U.S.C. § 2412(d), and no costs under 28 U.S.C. § 1920. This amount represents
3 compensation for all legal services rendered on behalf of Plaintiff by counsel in
4 connection with this civil action, in accordance with 28 U.S.C. §§ 1920; 2412(d).

5 After the Court issues an order for EAJA fees to Ashley Renee Pinon, the
6 government will consider the matter of Ashley Renee Pinon's assignment of EAJA
7 fees to Marc Kalagian. The retainer agreement containing the assignment is
8 attached as exhibit 1. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521, 2529 (2010),
9 the ability to honor the assignment will depend on whether the fees are subject to
10 any offset allowed under the United States Department of the Treasury's Offset
11 Program. After the order for EAJA fees is entered, the government will determine
12 whether they are subject to any offset.

13 Fees shall be made payable to Ashley Renee Pinon, but if the Department of
14 the Treasury determines that Ashley Renee Pinon does not owe a federal debt, then
15 the government shall cause the payment of fees, expenses and costs to be made
16 directly to Law Offices of Lawrence D. Rohlffing, Inc., CPC, pursuant to the
17 assignment executed by Ashley Renee Pinon.¹ Any payments made shall be
18 delivered to Law Offices of Lawrence D. Rohlffing, Inc., CPC.

19 This stipulation constitutes a compromise settlement of Ashley Renee
20 Pinon's request for EAJA attorney fees, and does not constitute an admission of
21 liability on the part of Defendant under the EAJA or otherwise. Payment of the
22 agreed amount shall constitute a complete release from, and bar to, any and all
23 claims that Ashley Renee Pinon and/or Marc Kalagian including Law Offices of
24

25 ¹ The parties do not stipulate whether counsel for the plaintiff has a cognizable lien
26 under federal law against the recovery of EAJA fees that survives the Treasury
Offset Program.

1 Lawrence D. Rohlfing, Inc., CPC, may have relating to EAJA attorney fees in
2 connection with this action.

3 This award is without prejudice to the rights of Marc Kalagian and/or the
4 Law Offices of Lawrence D. Rohlfing, Inc., CPC, to seek Social Security Act
5 attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of
6 the EAJA.

7 DATE: August 31, 2023 Respectfully submitted,

8 LAW OFFICES OF LAWRENCE D. ROHLFING, INC., CPC

9 */s/ Marc V. Kalagian*

10 BY: _____

11 Marc V. Kalagian
12 Attorney for plaintiff
13 ASHLEY RENEE PINON

14 DATED: August 31, 2023

15 JASON M. FRIERSON
16 United States Attorney

17 */s/ Margaret I. Branick-Abilla*

18 MARGARET I. BRANICK-ABILLA
19 Special Assistant United States Attorney
20 Attorneys for Defendant
21 KILOLO KIJAKAZI, Acting Commissioner of
22 Social Security (Per e-mail authorization)

23 **ORDER**

24 Approved and so ordered:

25 DATED: September 6, 2023

26 

THE HONORABLE CRAIG STEPHEN DENNEY
UNITED STATES MAGISTRATE JUDGE